

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Ellis McDonald Green**

**Docket No. 5:08-CR-123-1FL**

**Petition for Action on Supervised Release**

COMES NOW Linwood E. King, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ellis McDonald Green, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on January 8, 2009, to the custody of the Bureau of Prisons for a term of 141 months. On November 1, 2016, as a result of a 2255 Motion, his term of imprisonment was reduced to time served. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Ellis McDonald Green was released from custody on November 1, 2016, at which time the term of supervised release commenced.

On November 15, 2016, the court was notified of the defendant testing positive for the use of cocaine. He was continued under supervision and exposed to substance abuse treatment.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On December 27, 2016, and January 4, 2017, Green submitted urinalysis tests which again confirmed positive for the presence of cocaine. Green has been directed to continue substance abuse treatment at First Step Services, Raleigh, North Carolina, in both group and individual counseling sessions. Furthermore, he was encouraged to consider in-patient treatment options in light of the severity of substance use. To address this continued non-compliant behavior, and in an effort to deter future illegal drug use, we are recommending that the defendant complete 30 days of Home Detention via electronic monitoring.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 30 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

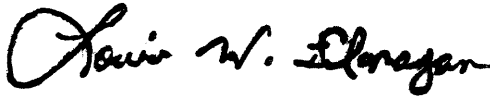
I declare under penalty of perjury that the foregoing  
is true and correct.

/s/Michael C. Brittain  
Michael C. Brittain  
Supervising U.S. Probation Officer

/s/Linwood E. King  
Linwood E. King  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8682  
Executed On: January 23, 2017

**ORDER OF THE COURT**

Considered and ordered this 24th day of January, 2017, and ordered filed and  
made a part of the records in the above case.



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Louise W. Flanagan  
U.S. District Judge